

109TH CONGRESS  
1ST SESSION

# H. R. 547

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. HINOJOSA (for himself, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. FILNER, Mrs. DAVIS of California, Mr. WEINER, Mr. GONZALEZ, Mr. ANDREWS, Mr. OWENS, Ms. LEE, Mrs. MCCARTHY, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. KUCINICH, Mr. ORTIZ, Mr. BECERRA, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Ms. MILLENDER-McDONALD, Mr. CARDOZA, Ms. MCCOLLUM of Minnesota, Mr. DELAHUNT, Mr. ABERCROMBIE, Mr. CLEAVER, Mr. REYES, Mr. ACKERMAN, Mr. DOGGETT, Ms. WATSON, Mr. PALLONE, Mr. UDALL of New Mexico, Mr. HONDA, Mr. WEXLER, Mr. NADLER, Mr. SERRANO, Mr. FATTAH, Mr. ETHERIDGE, Mr. RUSH, Mr. DAVIS of Illinois, Ms. VELÁZQUEZ, Mr. BACA, Mr. HOLT, Mr. RANGEL, Mr. STARK, Ms. WOOLSEY, Mr. PASTOR, Mr. NEAL of Massachusetts, Mr. PASCRELL, Mr. WU, Mr. GEORGE MILLER of California, Ms. SOLIS, Mrs. JONES of Ohio, Mr. CASE, Mr. EMANUEL, Mr. HOYER, Mr. CUELLAR, Mr. SALAZAR, Mr. FRANK of Massachusetts, Ms. ROYBAL-ALLARD, Mr. TAYLOR of North Carolina, Mr. SCOTT of Virginia, Mr. KIND, Mrs. CAPPS, Ms. JACKSON-LEE of Texas, Mr. ENGEL, and Mr. EDWARDS) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Graduation for All  
5       Act”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds as follows:

8               (1) Failure to earn a high school diploma has  
9       serious economic and social consequences for individ-  
10      uals and the Nation.

11              (2) Recent studies show that less than 75 per-  
12      cent of all eighth graders graduate from high school  
13      in 5 years, and in urban schools the rate falls below  
14      50 percent.

15              (3) 40 percent of students attending high-mi-  
16      nority-enrollment secondary schools enroll in reme-  
17      dial coursework when entering higher education in  
18      an effort to gain the skills their secondary education  
19      failed to provide.

20              (4) Students who receive concentrated, focused  
21      support in literacy graduate from high school and  
22      attend college in far greater numbers.

23              (5) On the 2002 National Assessment of Edu-  
24      cational Progress, one in four students in the eighth  
25      grade scored below basic in reading.

1           (6) Improving the literacy skills of adolescents  
2           is a key factor in improving high school graduation  
3           rates.

4                           **TITLE I—IMPROVING**  
5                           **ADOLESCENT LITERACY**

6   **SEC. 101. PURPOSES.**

7           The purposes of this title are—

8                   (1) to provide assistance to State educational  
9                   agencies and local educational agencies in estab-  
10                  lishing effective research-based reading programs for  
11                  students attending secondary schools (including mid-  
12                  dle schools and high schools, as defined by the local  
13                  education agency) including economically disadvan-  
14                  tagged students, students from major racial and eth-  
15                  nic groups, students with disabilities, students with  
16                  limited English proficiency, migrant children, and  
17                  homeless children;

18                  (2) to provide adequate resources to schools to  
19                  hire, and to provide in-service training for, at least  
20                  one literacy coach per 600 students or 20 teachers,  
21                  whichever requires the greater number of literacy  
22                  coaches, who can assist all teachers to incorporate  
23                  research-based reading and writing instruction or  
24                  English as a second language instruction into their  
25                  teaching of mathematics, science, history, civics, ge-

1 ography, literature, language arts, and other core  
2 academic subjects;

3 (3) to provide assistance to State educational  
4 agencies and local educational agencies in strength-  
5 ening reading and writing instruction and providing  
6 diagnostic reading assessments and comprehensive  
7 research-based programs and instructional materials  
8 that will improve overall reading and writing per-  
9 formance among students attending secondary  
10 schools; and

11 (4) to provide assistance to State educational  
12 agencies and local educational agencies to develop  
13 and implement individual graduation plans for stu-  
14 dents who are most at risk of not graduating from  
15 high school so that such students graduate with a  
16 high school diploma before reaching 21 years of age  
17 or the maximum age for high school attendance in  
18 accordance with State law.

19 **SEC. 102. PROGRAM AUTHORIZED.**

20 The Secretary is authorized to establish a program,  
21 in accordance with the requirements of this title, that will  
22 provide funds to State educational agencies and local edu-  
23 cational agencies to establish reading and writing pro-  
24 grams to improve overall reading and writing performance  
25 among students attending secondary schools (including

1 middle and high schools, as defined by the local education  
2 agency).

3 **SEC. 103. GRANTS TO STATES.**

4 (a) ALLOCATION TO STATES.—The Secretary shall  
5 allocate funds to States—

6 (1) to establish a reading and writing partner-  
7 ship to increase the literacy skills for all students,  
8 including strategies for economically disadvantaged  
9 students, students from major racial and ethnic  
10 groups, students with disabilities, students with lim-  
11 ited English proficiency, migrant children, and  
12 homeless children;

13 (2) to coordinate applications for subgrants  
14 under this title; and

15 (3) to oversee and evaluate the State's activities  
16 under this title.

17 (b) LENGTH OF GRANT.—Grants made to States  
18 under this title shall be in effect for a period of 6 years.

19 (c) APPLICATIONS.—In order to receive a grant  
20 under this title, a State shall submit to the Secretary an  
21 application in a form established by the Secretary, which  
22 satisfies the following conditions:

23 (1) The application shall not be consolidated  
24 with an application made under the Elementary and

1 Secondary Education Act of 1965 (20 U.S.C. 6301  
2 et seq.).

3 (2) The application shall include assurances  
4 that the State—

5 (A) has established a reading and writing  
6 partnership that—

7 (i) coordinated the application; and

8 (ii) will assist in administering the  
9 program; and

10 (B) will participate, if requested, in the ex-  
11 ternal national evaluation of the program.

12 (3) The application shall include a program  
13 plan that contains a description of the following:

14 (A) How the State will assist local edu-  
15 cational agencies in implementing grants, in-  
16 cluding providing ongoing professional develop-  
17 ment for literacy coaches, teachers, paraprofes-  
18 sionals, and administrators.

19 (B) How the State will help local edu-  
20 cational agencies identify screening, diagnostic,  
21 and classroom-based instructional reading and  
22 writing assessments.

23 (C) How the State will help local edu-  
24 cational agencies identify scientifically based  
25 materials and programs.

1 (D) How the State will help local edu-  
2 cational agencies identify materials, programs,  
3 and assessments for economically disadvantaged  
4 students, students from major racial and ethnic  
5 groups, students with disabilities, students with  
6 limited English proficiency, migrant children,  
7 and homeless children.

8 (E) How the State will ensure that profes-  
9 sional development is based on scientifically  
10 based reading research, will effectively improve  
11 instructional practices for reading and writing,  
12 and is coordinated with professional develop-  
13 ment activities funded through other programs.

14 (F) How funded activities will help teach-  
15 ers and other instructional staff to implement  
16 scientifically based components of reading in-  
17 struction.

18 (G) The subgrant process, including how  
19 the State will ensure that eligible local edu-  
20 cational agencies receiving subgrants will use  
21 practices based on scientifically based reading  
22 research.

23 (H) How the State will build on, and pro-  
24 mote coordination among, reading and writing  
25 programs in the State to increase overall effec-

1           tiveness in reading and writing instruction, in-  
2           cluding effectiveness among economically dis-  
3           advantaged students, students from major ra-  
4           cial and ethnic groups, students with disabil-  
5           ities, students with limited English proficiency,  
6           migrant children, and homeless children.

7           (I) How the State will assist local edu-  
8           cational agencies receiving subgrants under this  
9           title in providing one-on-one counseling to de-  
10          velop graduation plans for students at risk of  
11          not graduating on time.

12          (J) How the State will assess and evaluate  
13          the effectiveness of eligible local educational  
14          agency activities on a regular basis.

15       (d) USE OF FUNDS.—

16           (1) SUBGRANTS.—Each State shall allocate 80  
17          percent of the funds the State receives under this  
18          title to local educational agencies, utilizing a com-  
19          petitive priority based upon the graduation rate for  
20          students attending middle schools and high schools.

21           (2) STATE-LEVEL ACTIVITIES.—

22           (A) IN GENERAL.—Each State educational  
23          agency shall use 20 percent of the grant funds  
24          the State educational agency receives under this  
25          title—

1 (i) to carry out State-level activities  
2 described in subsection (c);

3 (ii) to provide technical support to  
4 local educational agencies and high-quality  
5 professional development to teachers and  
6 literacy coaches;

7 (iii) to provide grants to secondary  
8 schools that have low graduation rates but  
9 are not in a local education agency with  
10 low graduation rates; and

11 (iv) for administrative costs.

12 (B) LIMITATION.—Not more than 10 per-  
13 cent of the grant funds distributed to a State  
14 under this title for any fiscal year may be used  
15 for planning, administration, and reporting.

16 (e) NOTICE TO LOCAL EDUCATION AGENCIES.—  
17 Each State receiving a grant under this title shall provide  
18 notice to all eligible local educational agencies about the  
19 availability of subgrants under this title.

20 (f) REVIEW OF APPLICATIONS.—State applications  
21 shall be reviewed by the Secretary in the order in which  
22 they are received.

23 **SEC. 104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

24 (a) ELIGIBILITY REQUIREMENT.—To be eligible to  
25 receive a subgrant under this title, a local educational

1 agency shall be among the local educational agencies in  
2 the State with the lowest graduation rates for public sec-  
3 ondary school students (as defined in section  
4 1111(b)(2)(C)(vi) of the Elementary and Secondary Edu-  
5 cation Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi))).

6 (b) APPLICATIONS.—

7 (1) IN GENERAL.—Local educational agencies  
8 shall submit applications to the State in the form  
9 and according to the schedule established by the  
10 State.

11 (2) CONTENTS.—In addition to any other infor-  
12 mation required by the State, applications for sub-  
13 grants under this title shall demonstrate how the  
14 local educational agency will carry out the following  
15 required activities:

16 (A) Reading assessments.

17 (B) Reading programs.

18 (C) Reading and writing programs for eco-  
19 nomically disadvantaged students, students  
20 from major racial and ethnic groups, students  
21 with disabilities, students with limited English  
22 proficiency, migrant children, and homeless  
23 children.

1 (D) One-on-one counseling to develop grad-  
2 uation plans for students at risk of not grad-  
3 uating on time.

4 (E) Selection and implementation of in-  
5 structional materials based on scientifically  
6 based reading research.

7 (F) Professional development, including in-  
8 struction on how to identify and work with eco-  
9 nomically disadvantaged students, students  
10 from major racial and ethnic groups, students  
11 with disabilities, students with limited English  
12 proficiency, migrant children, and homeless  
13 children.

14 (G) Evaluation strategies.

15 (H) Reporting.

16 (I) Providing access to reading material,  
17 including reading materials for economically  
18 disadvantaged students, students from major  
19 racial and ethnic groups, students with disabil-  
20 ities, students with limited English proficiency,  
21 migrant children, and homeless children.

22 (3) CONSORTIA.—Local educational agencies  
23 may apply to the State for a grant as a consortium,  
24 if each member of the consortium meets the eligi-  
25 bility requirement described in subsection (a).

1       (c) USE OF FUNDS.—A local educational agency re-  
2       ceiving a subgrant under this title shall use the funds to  
3       provide the following services at the middle school and  
4       high school levels (as defined by the agency):

5               (1) Hiring and providing inservice training for  
6       literacy coaches who shall—

7                       (A) work with classroom teachers to incor-  
8       porate reading and writing instruction within  
9       all subject areas, during regular classroom peri-  
10      ods and after school and summer school pro-  
11      grams, for all students, including economically  
12      disadvantaged students, students from major  
13      racial and ethnic groups, students with disabil-  
14      ities, students with limited English proficiency,  
15      migrant children, and homeless children;

16                  (B) work with classroom teachers to iden-  
17      tify students with reading problems and provide  
18      remediation or referral for additional services;

19                  (C) in partnership with classroom teachers,  
20      diagnose and remediate reading difficulties of  
21      the lowest performing students (including low-  
22      performing economically disadvantaged stu-  
23      dents, students from major racial and ethnic  
24      groups, students with disabilities, students with  
25      limited English proficiency, migrant children,

1 and homeless children) by providing intensive,  
2 research-based instruction (including before-  
3 and after-school and summer sessions) focused  
4 on reading and writing skills and geared toward  
5 ensuring that such students can perform rig-  
6 orous academic coursework in high school; and

7 (D) assess and organize student data on  
8 literacy and communicate such data to school  
9 administrators.

10 (2) Providing one-on-one counseling to all stu-  
11 dents, beginning in grade 9, who are at risk of not  
12 graduating on time because of insufficient accumula-  
13 tion of credits, failure to pass State graduation ex-  
14 aminations, or low or failing grades, which coun-  
15 seling shall include—

16 (A) developing individual graduation plans  
17 for such students so that they are able to grad-  
18 uate from high school with a standard diploma  
19 before reaching 21 years of age or the max-  
20 imum age for high school attendance in accord-  
21 ance with State law;

22 (B) working with students and their par-  
23 ents or caregivers to develop an individual grad-  
24 uation plan that will define each student's ca-  
25 reer and education goals, ensure enrollment in

1 the coursework necessary for graduation and  
2 preparation for postsecondary education and  
3 work, and identify the courses and supple-  
4 mental services necessary to meet those goals;

5 (C) advocating for the student, helping the  
6 student to access the services and supports nec-  
7 essary to achieving the goals in the individual  
8 graduation plan; and

9 (D) ensuring that limited or non-English  
10 speaking parents are able to understand the  
11 goals outlined in such plan and to participate in  
12 assisting their child in meeting such goals;

13 (3) As necessary, hiring personnel to implement  
14 the requirements of paragraph (2).

15 (4) Reviewing, analyzing, developing, and,  
16 where possible, adapting curricula to ensure literacy  
17 skills are taught within the content area subjects.

18 (5) Providing reading professional development  
19 for all teachers in middle and high schools that ad-  
20 dresses both remedial and higher level literacy skills  
21 for students in the applicable curricula.

22 (6) Providing professional development for all  
23 teachers, administrators, and paraprofessionals,  
24 where appropriate, in middle and high schools that  
25 addresses the literacy needs of economically dis-

(8) Evaluating the effectiveness of the instructional strategies, teacher professional development programs, and other interventions that are implemented under the subgrant.

21 SEC. 105. AUTHORIZATION OF APPROPRIATIONS; ALLOCA-  
22 TIONS.

•HR 547 IH

1 \$1,000,000,000 for fiscal year 2006 and such sums as  
2 may be necessary for the 5 succeeding fiscal years.

3 (b) SPECIAL RULE.—

4 (1) IN GENERAL.—If the funds appropriated  
5 under this section for a fiscal year are less than  
6 \$500,000,000, then the Secretary shall award  
7 grants, on a competitive basis, directly to eligible  
8 local educational agencies to establish reading and  
9 writing programs to improve overall reading and  
10 writing performance among students in middle  
11 school and secondary school.

12 (2) ELIGIBILITY REQUIREMENT.—To be eligible  
13 to receive a grant under this subsection, a local edu-  
14 cational agency shall be among the local educational  
15 agencies in the State with the lowest graduation  
16 rates for public secondary school students (as de-  
17 fined in section 1111(b)(2)(C)(vi) of the Elementary  
18 and Secondary Education Act of 1965 (20 U.S.C.  
19 6311(b)(2)(C)(vi))).

20 (c) STATE ALLOCATIONS.—

21 (1) IN GENERAL.—Of the funds appropriated  
22 under subsection (a), 95 percent shall be allocated to  
23 the States submitting applications under this title.

1           (2) MINIMUM.—The minimum State allocation  
2       is 0.25 percent of the total amount allocated to  
3       States.

4           (3) PUERTO RICO.—For any fiscal year, Puerto  
5       Rico shall receive an allocation that represents not  
6       more than the percentage of the total allocation it  
7       received under part A of title I of the Elementary  
8       and Secondary Education Act of 1965 (20 U.S.C.  
9       6311 et seq.) for the preceding fiscal year.

10          (4) SUPPLEMENT, NOT SUPPLANT.—States  
11       shall not use funds received under this title to sup-  
12       plant funding already being provided by the State  
13       for such activities or for other educational activities.  
14       Funds may only be used to provide new services au-  
15       thorized under this title.

16          (5) REALLOCATION.—If a State does not apply  
17       for funding, the Secretary shall reallocate such  
18       State's funds to the remaining States.

19          (d) FUNDS RETAINED BY THE SECRETARY.—Funds  
20       retained by the Secretary shall be used to fund national  
21       activities in support of the programs funded under this  
22       title, except that the Secretary may not make direct grants  
23       to local educational agencies except as provided in sub-  
24       section (b).

25          (e) LOCAL EDUCATIONAL AGENCY SUBGRANTS.—

1           (1) MINIMUM.—For any fiscal year, each eligi-  
2           ble local educational agency shall receive a minimum  
3           subgrant amount equal to at least the percentage of  
4           the total allocation it received under part A of title  
5           I of the Elementary and Secondary Education Act  
6           of 1965 (20 U.S.C. 6311 et seq.) for the preceding  
7           fiscal year.

8           (2) FULL IMPLEMENTATION.—Subgrants to eli-  
9           gible local educational agencies shall be of sufficient  
10          size and scope to enable such entities to fully imple-  
11          ment programs.

12          (3) SUPPLEMENT, NOT SUPPLANT.—Local edu-  
13          cational agencies shall not use funds received under  
14          this title to supplant funding already being provided  
15          by a local educational agency for such activities or  
16          for other educational activities. Funds may only be  
17          used to provide new services authorized under this  
18          title.

19 **SEC. 106. DEFINITIONS.**

20          For the purposes of this title:

21               (1) INDIVIDUAL GRADUATION PLAN.—The term  
22               “individual graduation plan” means a written plan,  
23               developed in partnership school personnel, parents,  
24               and students, to list the steps necessary for the indi-

1       vidual to achieve high school graduation with a  
2       standard diploma.

3           (2) LITERACY COACH.—The term “literacy  
4       coach” means a certified teacher, with a dem-  
5       onstrated effectiveness in teaching reading to stu-  
6       dents with specialized needs and the ability to work  
7       with classroom teachers to improve their instruc-  
8       tional techniques to support reading and writing im-  
9       provement, who works on site at a school to—

10           (A) train teachers from across the cur-  
11           riculum to incorporate the teaching of reading  
12           and writing skills into their instruction of con-  
13           tent;

14           (B) train teachers to assess students’ read-  
15           ing and writing skills and identify students re-  
16           quiring remediation; and

17           (C) provide or assess remedial literacy in-  
18           struction, including for after school and sum-  
19           mer school programs, for students requiring at-  
20           tention, including economically disadvantaged  
21           students, students from major racial and ethnic  
22           groups, students with disabilities, students with  
23           limited English proficiency, migrant children,  
24           and homeless children.

1           (3) SECRETARY.—The term “Secretary” means  
2           the Secretary of Education.

3           (4) STATE.—The term “State” means the 50  
4           States, the Bureau of Indian Affairs, the District of  
5           Columbia, Puerto Rico, the Virgin Islands, Guam,  
6           American Samoa, and the Commonwealth of the  
7           Northern Mariana Islands.

## 8           **TITLE II—ACCOUNTABILITY**

### 9   **SEC. 201. ACCOUNTABILITY FOR ADEQUATE YEARLY** 10           **PROGRESS.**

11           Section 1111(b)(2)(C) of the Elementary and Sec-  
12           ondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C))  
13           is amended—

14           (1) in clause (v)—

15                   (A) by striking the semicolon at the end of  
16                   subclause (II) and inserting a period; and

17                   (B) by inserting after subclause (II) the  
18                   following:

19                               “(III) In the case of secondary  
20                               schools, the graduation rates for all  
21                               students as described in clause (vi);”;  
22                               and

23           (2) by amending clause (vi) to read as follows:

24                   “(vi) in accordance with subparagraph  
25                   (D), includes graduation rates for public

1 secondary school students (defined as the  
 2 percentage of students who graduate from  
 3 secondary school with a regular diploma,  
 4 as defined by the State, before reaching 21  
 5 years of age or the maximum age for high  
 6 school attendance in accordance with State  
 7 law), measured separately for each group  
 8 described in clause (v).”.

9 **SEC. 202. GRADUATION RATE INFORMATION ON ANNUAL**  
 10 **STATE REPORT CARDS.**

11 Section 1111(h)(1)(C) of the Elementary and Sec-  
 12 ondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C))  
 13 is amended—

14 (1) in clause (vii), by striking “and” at the end;

15 (2) in clause (viii), by striking the period at the  
 16 end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(ix) for secondary schools, informa-  
 19 tion in the aggregate on graduate rates de-  
 20 scribed in section 1111(b)(2)(C)(vi),  
 21 disaggregated as described in clause (i).”.

1 **SEC. 203. ADULT EDUCATION AND FAMILY LITERACY ACT**2 **ADMINISTRATIVE PROVISIONS.**

3 Section 241 of the Adult Education and Family Lit-  
4 eracy Act (20 U.S.C. 9251) is amended by adding at the  
5 end the following:

6 “(c) REPORTS.—

7 “(1) REPORTS TO THE SECRETARY.—An eligi-  
8 ble agency receiving funds under this title shall an-  
9 nually provide the Secretary with a report on the  
10 number participants who are 16, 17, or 18 years of  
11 age in the programs and services provided under  
12 section 231, disaggregated by race, ethnicity, gen-  
13 der, limited English proficiency status, disability,  
14 and socioeconomic status.

15 “(2) REPORTS TO CONGRESS.—Not later than  
16 June 30, 2007, and by June 30 annually thereafter,  
17 the Secretary shall submit a report to the Congress  
18 containing the results of the eligible agency reports  
19 required by paragraph (1).”.

○